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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,890	12/28/2001	Daniel Francis Tell	29250/CE03957R	1639

22917 7590 01/27/2006

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EXAMINER
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NANO, SARGON N

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

8  
10/034,490

Applicant(s)

AUE, AXEL

Examiner

Sargon N. Nano

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 9 Nov, 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to amendment filed on Nov. 9, 2005. Claims 1 – 27 are pending examination.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 26 are rejected under 35 U.S.C. 102(e) as being anticipated by  
Acher U.S. Patent No. 6,683,870.

Archer teaches a method for communication over a network , which can be both analog and digital includes simultaneously transmitting a call notification to a plurality of communication devices (see abstract).

As to claim 1, Archer teaches a system for transmitting data through an IP core network so that data may be transmitted from an originating source, though a public switched telephone network (PSTN) and through the IP core network to at least one of a wired handset and a wireless handset, the system comprising:

an IP core network ( see col. 10 lines 45 – 52 and fig.6 , Archer discloses an IP network ).

the IP core network coupled to the PSTN through an interface, the IP core network also coupled to an access IP network ( see col. 5 lines 59 – 67 and fig.6, Archer discloses PSTN to IP- network gateway).

a radio access network coupled to the IP core network and the wireless handset (see col. 10 lines 45 – 55 , Archer discloses cellular communication system tower for transmitting and receiving signals to and from the cellular phone).

a register of wired handsets and wireless handsets from among the at least one of a wired handset and a wireless handset and the registered wired handsets and wireless handsets are on the register when such registered wired handsets and wireless handsets are accessible within IP core network and the radio access network and where in the register is compiled by the handsets when the handsets become accessible on the network(see col. 6 line 48 – col. 7 line 22 Archer discloses contacting multiple registered devices pertaining the called party or subscriber), and

upon receipt of data from the originating source, the IP core network simultaneously initiating a ringing of the wired handset available on the register through the access IP network and a paging of the wireless handset available on the register through the radio access network ( see col. 2 lines 61 – 66 , Archer discloses simultaneously ringing all the numbers in a group).

As to claim 2, Archer teaches the system of claim 1 wherein, upon receipt of an answer from a plurality of the handsets, the IP core network bridging an audio signal between the wired and wireless handsets. (see col. 2 lines 61 – 66 ).

As to claim 3, Archer teaches the system of claim 1 wherein, upon receipt of an answer from a plurality of the handsets, the IP core network bridging an audio signal between the wireless handset and a plurality of wired handsets (see col. 2 lines 61 – 66 and fig.6).

As to claim 4, Archer teaches the system of claim 1 wherein, upon receipt of an answer from a plurality of the handsets, the IP core network bridging an audio signal between a plurality of wired handsets (see col. 2 lines 61 – 66 and fig.6).

As to claim 5, Archer teaches the system of claim 1 further comprising a user premise network coupled to the IP core network, the user premise network comprising at least one component selected from the group consisting of a modem, a cable modem, an ISDN modem and a DSL modem (see col. 5, lines 10 – 22).

As to claim 6, Archer teaches the system of claim 1 wherein the interface comprises a gateway and a gatekeeper (see col. 5 lines 33 – 46).

As to claim 7, Archer teaches the system of claim 1 wherein the interface comprises an H.323 gateway and an H.323 gatekeeper (see col. 5 lines 33 – 46).

As to claim 8, Archer teaches the system of claim 1 wherein the interface comprises a SIP server and an IP/PSTN gateway (see col.9 lines 62 – 67).

As to claim 9, Archer teaches the system of claim 1 wherein the IP core network further comprises a location server node which determines the location of the wireless handset (see col. 6, lines 31 – 46 and fig. 6), and the IP core network, upon receipt of a signal from the location server node that the wireless handset is within a predetermined geographical area, simultaneously initiates the paging of the wireless handset through

Art Unit: 2157

the radio access network and the ringing of the wired handset (see col. 11 lines 14 – 25).

As to claim 10, Archer teaches the system of claim 9 wherein the IP core network initiates a ringing of the wired handset through the access IP network (see col. 11 lines 14 – 25).

As to claim 11, Archer teaches the system of claim 1 wherein the IP core network further comprises at least one feature server for providing call features for data being communicated from the IP core network to the wired and wireless handsets (see col. 9, lines 10 – 20).

As to claim 12, Archer teaches the system of claim 1 further comprising a user premise network comprising a TR57 interface for providing analog loop functions (see col. 2 lines 19 – 25, Archer discloses voice or video conferencing via dialing a phone number).

As to claim 13, Archer teaches the system of claim 12 wherein the TR57 interface is coupled to an H.323 interface for converting voice data transmitted from the wired handset into H.323 protocol (see col. 3 lines 19 – 25, Archer discloses voice using standard multimedia computer).

As to claim 14, Archer teaches the system of claim 12 wherein the TR57 interface is coupled to a SIP interface for converting voice data transmitted from the wired handset into SIP protocol (see col.9 lines 62 – 67).

As to claim 15, Archer teaches the system of claim 7 wherein the H.323 gateway and H.323 gatekeeper are a part of the IP core network (see col. 5 lines 59 – 67 and fig.6, Archer discloses PSTN to IP- network gateway).

As to claim 16, Archer teaches the system of claim 1 further comprising a user premise network comprising a RJ11 interface, a modem and a personal computer wherein the RJ11 interface is coupled to a modem and a personal computer( see col.5 lines 10 – 22 and fig.3).

As to claim 17, Archer teaches the system of claim 1 wherein the access IP network is coupled to an Internet telephone and, upon receipt of data from the originating source, the IP core network simultaneously initiating a ringing of the wired handset, a paging of the wireless handset through the radio access network and a sending of a call message to the Internet telephone through the access IP network (see col. 2 lines 61 – 66).

As to claim 18, Archer teaches the system of claim 1 wherein the access IP network is coupled to computer and, upon receipt of data from the originating source. the IP core network simultaneously initiating a ringing of the wired handset, a paging of the wireless handset through the radio access network and a sending of a call message to the computer through the access IP network ( see col. 2 lines 61 – 66) .

As to claim 19, Archer teaches the system of claim 1 wherein the IP access network is coupled to a multimedia terminal (see col. 3 lines 4 – 10).

As to claim 20, Archer teaches a method for simultaneously paging a wireless handset and ringing a wired handset, the method comprising:

providing an IP core network that is coupled to a public switched telephone network (PSTN) through an interface, the IP core network also being coupled to an access IP network, providing a radio access network coupled to the IP core network and the wireless handset( see col. 10 lines 45 – 52 and fig.6 , Archer discloses an IP network ).

receiving data at the IP core network from the PSTN ( see col. 5 lines 59 – 67 and fig.6, Archer discloses PSTN to IP- network gateway).

registering a wireless handset when such handset is accessible on the radio access network and wired handset when such wired handset is accessible on the IP network (see col. 6 line 48 – col. 7 line 22 Archer discloses contacting multiple registered devices pertaining the called party or subscriber), and

simultaneously initiating a ringing of the registered wired handset through the access IP network and a paging of the wireless handset through the radio access network( see col. 2 lines 61 – 66 , Archer discloses simultaneously ringing all the numbers in a group).

As to claim 21, Archer teaches the method of claim 20 further comprising:

providing a location server node ( see col. 6 lines 31- 39),

determining a location of the wireless handset( see col. 6 lines 31- 46),

prior to simultaneously initiating the paging of the wireless handset through the radio access network and the ringing of the wired handset through the access IP network, sending a signal to the IP core network from the location server node indicating that the wireless handset is within a predetermined geographical area( see



col. 2 lines 61 – 66 , Archer discloses simultaneously ringing all the numbers in a group).

As to claim 22, Archer teaches the method of claim 21 wherein the location server node forms part of the IP core network (see col. 6 lines 31- 39).

As to claim 23, Archer teaches the method of claim 20 further comprising providing at least one feature server for providing call features for data being communicated from the IP core network to the wired handset and the wireless handset(see col. 9, lines 10 – 20).

As to claim 24, Archer teaches the method of claim 20 wherein the feature server forms a part of the IP core network (see col. 6 lines 31- 39).

As to claim 25, Archer teaches the method of claim 20 wherein the access IP network is coupled to an Internet telephone (see col. 2 lines 11 – 18) and,

upon receipt of data from the originating source, the IP core network simultaneously initiating a ringing of the wired handset, a paging of the wireless handset through the radio access network and a sending of a call message to the Internet telephone through the access IP network( see col. 2 lines 61 – 66).

As to claim 26, Archer teaches the system of claim 20 wherein the access IP network is coupled to computer and (see col. 2 lines 61 – 66 and fig. 6),

upon receipt of data from the originating source, the IP core network simultaneously initiating a ringing of the wired handset, a paging of the wireless handset through the radio access network and a sending of a call message to the computer through the access IP network( see col. 2 lines 61 – 66).

As to claim 27, Archer teaches a system for transmitting data through an IP core network so that data may be transmitted from an originating source, through a public switched telephone network (PSTN) and through the IP core network to at least one of a wired handset and a wireless handset, the system comprising:

- an IP core network comprising a location server node (see col. 6 lines 31- 39) ,
- the IP core network coupled to the PSTN through an interface, the IP core network also coupled to an access IP network, the interface comprising a gateway and a gatekeeper(see col. 5 lines 33 – 46),

- a radio access network coupled to the IP core network and the wireless handset(see col. 10 lines 45 – 55),

- a user premise network coupled to the IP core network( see col. 10 lines 45 – 52 and fig.6 , Archer discloses an IP network ),

- a register of wired handsets and wireless handsets from among the at least one of wired handset and a wireless handset and the registered wired handsets and wireless handsets are on the register when such registered wired handsets and wireless handsets are accessible within the IP core network and the radio access network wherein the register is compiled by the handsets when the handsets are accessible on the network, and (see col. 6 line 48 – col. 7 line 22 Archer discloses contacting multiple registered devices pertaining the called party or subscriber),

- upon receipt of data from the originating source, the location server node determining the location of the wireless handset and, upon receipt of a signal from the location server node that the wireless handset is within a predetermined geographical

area, the IP core network simultaneously initiating a paging of the wireless handset through the radio access network and a ringing of the wired handset( see col. 2 lines 61 – 66) and,

upon receipt of an answer from a plurality of the handsets, the IP core network bridging an audio signal between the wired and wireless handsets( see col. 2 lines 61 – 66).

### **Response to Argument**

3. Applicant's arguments have been fully considered but are not persuasive.

In the remarks applicant argue in substance that:

A) Archer does not disclose or suggest that the wired and the wireless handsets are accessible when the handsets become accessible on the network.

B) Archer does not disclose or suggest the handsets, whether they be wired or wireless have access to a database to be registered and database is controlled by human and is not the dynamic type of register discloses by the invention.

In response to A) examiner respectfully disagrees because Archer discloses that when the primary user's device, wire or wireless, contacted is not available (no response was detected) then the system queries the available devices that pertain to the primary user's device until one of the registered device is successfully contacted. Therefore, when the registered device is successfully contacted it becomes accessible.

In response to claim B), This/These limitation(s) are not found in the claims. Claimed subject matter not the specification is the measure of the invention. Disclosure contained in the specification cannot be read into the claims for the purpose of avoiding prior art. In re Sporck, 55 CCPA 743, 386 F .2d 924, 155 USPQ 687 (1986); In re Self, 213 USPQ 1, 5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978).

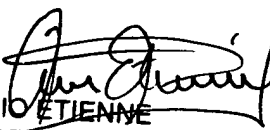
4. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sargon Nano  
Jan. 10, 2006

  
ARIO ETIENNE  
PRIMARY EXAMINER